

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14337 of 2020

Arising Out of PS. Case No.-66 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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SANDEEP KUMAR @ DEEPAK S/o Late Nathu Ram R/o village- Jagan,
P.S.- Juglan, P.S.- Agrawa More, District- Hisar (haryana).

... .. Petitioner.

Versus

1. THE STATE OF BIHAR.
2. Union of India through Intelligence Officer, Directors of Revenue Intelligence Regional Unit, Patna Bihar.

... .. Opposite Parties.

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Appearance :

For the Petitioner : Mr. Dronacharya, Advocate.
For the State : Mr. Nitya Nand Tiwary, A.P.P.
For the Union of India : Mr. Awadhesh Kumar Pandey, Senior Panel Counsel.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 13-10-2020 Heard Mr. Dronacharya, learned counsel for the petitioner, and Mr. Nitya Nand Tiwary, learned A.P.P. for the State, as also Mr. Awadhesh Kumar Pandey, learned Senior Panel Counsel, for the Union of India, through Video Conferencing.

The petitioner seeks bail in connection with Complaint Case No.66(C) of 2018/7996 of 2018 registered under Sections 135(1)(a) and 135(1)(b) of the Customs Act, 1962.

The accusation is that on 18.07.2018 at about 11.30 P.M., the petitioner was intercepted by the officers of Directorate of Revenue Intelligence, Patna, at Bettiah (West Champaran) Railway Station with a bag containing 5 bundles of Fake Indian Currency Notes, four bundles were wrapped in sheets of newspapers and one



bundle was wrapped in plastic sheet . On opening of one bundle, 24 Fake Indian Currency Notes in the denomination of Rs.500/- (Total Rs.12000/-) and opening of four other bundles, 357 Fake Indian Currency Notes in the denomination of Rs.100/- (Total Rs.35700/-) were recovered.

Learned counsel appearing on behalf of the petitioner submits that, earlier, the prayer of the petitioner for grant of bail was rejected by a Coordinate Bench of this Court vide order dated 03.04.2019 passed in Criminal Misc. No.19658 of 2019, giving liberty to the petitioner to renew his prayer for bail after nine months, if no substantive progress is made in the trial. Now, one year and six months has already elapsed after passing of the aforesaid rejection order dated 03.04.2019 passed in Criminal Misc. No.19658 of 2019 by a Coordinate Bench of this Court but, uptill now, after framing of the charge, only one witness has been examined in the case. The petitioner has no criminal antecedent and is in custody since 18.07.2018.

The report regarding the present stage of the trial of the case, as called for vide order dated 17.06.2020 passed by this Court, has been received through Letter No.07 dated 19.06.2020 from the court of the I/C Special Judge, Economic Offences, Patna, which indicates that after framing of the charge on 16.11.2019 in the case, out of the six witnesses, only one witness, namely, Ramanand Chaudhary, has been examined in the case.



Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Economic Offences, Patna, in connection with Complaint Case No.66(C) of 2018/7996 of 2018 with the condition that out of the two sureties, one must be the local and, further, the petitioner shall appear before the trial court on each and every date, as fixed by the trial court, during the course of the trial. If the petitioner fails to appear before the trial court on two consecutive dates during the course of the trial without any reasonable cause being shown, the trial court would be at liberty to cancel the bail bond of the petitioner.

(Rajendra Kumar Mishra, J)

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